

afterward a senator in the Legislature of Texas. He was in many respects a remarkable man, and had a wonderful hold on the affections of the masses; over their passions and sympathies his control was unbounded. The reckless daring of his own character contributed longer to his influence. This, aided by a generous and unselfish spirit, and captivating manners, made him wherever known the idol of the people. Inaccessible to bribes or threats, he was an upright and honest judge, who unflinchingly administered the law. In Congress and in the Legislature he had no selfish purpose to subserve, and was therefore the able and watchful guardian of the people's rights.

His intercourse with his brethren at the bar was marked by great courtesy. Towards the younger members he ever extended a helping hand and breathed a kind word of encouragement. His eloquence more nearly resembled that of John Randolph than of any other historical character. When fully aroused there was a fire and vigor in his speech that surpassed all discretion. In an appeal to the people, and as an advocate before a jury he was unsurpassable." The Texas Senate of which he was once a member, honors itself in perpetuating his memory.

"The lives of great men all remind us  
We can make our lives sublime,  
And departing, leave behind us  
Footprints on the sands of time."

To the young men of our State, I say if you wish for examples of daring, of self sacrifice, of patriotism, of devotion to country; if you desire to kindle the fires of high resolve and seek to enjoy the gratitude of posterity, read the history of your own State, of the heroes of San Jacinto and the Alamo and learn how to live, and if need be how to die for your country. More than a half century has passed and few of the actors in these stirring scenes are left to tell the story. With silvered hair, sunken eyes, wrinkled brows and trembling footsteps they are leaving us one by one and soon the last survivor will have been gathered to his fathers.

They gained an empire and secured for us our present prosperity and greatness.

Ought not we from our abundance to lighten their cares, to smooth their departing moments and to prove that republics are not ungrateful.

Senator Page offered the following resolutions, which, on motion of Senator Tyler, were adopted by a rising vote:

Recognizing that of the least important of the many objects for which government is organized is to perpetuate the memory and virtues of those who distinguish themselves in the service of their state and country, who by their self-sacrificing patriotism earn the grateful appreciation and the abiding love of those for whom they labored.

Recognizing further, that the eminent statesman, upright judge and unselfish patriot, R. M. Williamson, in honor of whom these memorial exercises are held deserves pre-eminently to be remembered as one of the illustrious sons of Texas,

Therefore, be it resolved by the Senate and House of Representatives of Texas in joint assembly, that in behalf of the state, we tender to the generous donors of the splendid painting of R. M. Williamson the thanks of this assembly.

On motion of Senator Kimbrough the Senate adjourned to Monday at 10 a. m.

#### FIFTY-NINTH DAY.

SENATE CHAMBER,  
Austin, March 23, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answered to their names:

#### PRESENT—22.

Burney,	Garwood,	Page,
Clark,	Glasscock,	Pope,
Clemens,	Harrison,	Sinkins,
Crane,	Johnson,	Stephens,
Cranford,	Kimbrough,	Townsend,
Finch,	Lubbock,	Tyler,
Frank,	Maetze,	Weisiger,
		Whatley.

#### ABSENT—7.

Atlee,	Kearby,	Mott,
Carter,	McKinney,	Potter,
		Sims.

Prayer by the chaplain, Dr. Smoot.  
Senator Page moved a call of the Senate, which was ordered.

The following Senators answering to their names:

**PRESENT—24.**

Burney,	Glasscock,	Pope,
Clark,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley.

Senator Stephens moved to excuse Senator Potter until Thursday on account of important business.

The motion was adopted by the following vote:

**YEAS—17.**

Burney,	Kimbrough,	Stephens,
Clark,	Maetze,	Townsend,
Clemens,	Mott,	Tyler,
Finch,	Pope,	Weisiger,
Frank,	Simkins,	Whatley.
Glasscock,	Sims,	

**NAYS—6.**

Cranford,	Harrison,	Lubbock,
Garwood,	Johnson,	Page,

On motion of Senator Whatley Senator Clemens was excused for last Saturday on account of important business.

Senator Crane entered the chamber, made his excuse and on motion of Senator Burney was excused for non-attendance at the call of the Senate.

The chair gave notice of signing and signed in presence of the Senate, Concurrent Resolutions regarding the death of Ex-President Jefferson Davis.

Also Senate bill No. 148, entitled "An act to provide the manner of collecting the interest and sinking fund on certain bonds held by the school fund of the State of Texas."

Also Senate bill No. 3, entitled "An act to provide for revising, digesting and publishing the laws, civil and criminal, of the State of Texas."

Pending the reading of the journal on motion of Senator Stephens the further reading of the same was dispensed with.

On motion of Senator Burney the journal of Saturday was corrected to show that Senator Simkins voted to suspend constitutional rule on final passage of House bill No. 565, making the vote show 21—a quorum—instead of 20.

On motion of Senator Stephens the journal of Saturday was corrected to show that he moved to reconsider the vote adopting the amendment of Senator Frank to House bill No. 236 instead of Senate bill No. 236 as appears on page 8.

The following reports were handed in from their respective committees:

**COMMITTEE ROOM.**

Austin, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

House bill No. 381, being "An act to amend section 31 of an act to establish and maintain a system of public free schools for the state of Texas, and to repeal so much of chapter 3, of title 78, of the revised civil statutes as refer to public free schools outside of cities and towns assuming or having assumed control of their public schools, and all laws and parts of laws in conflict with this act, passed by the special session of the Eighteenth Legislature, which was presented to the Governor for his signature on the sixth day of February, 1884, and became a law without his approval."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

GLASSCOCK, Chairman.

**COMMITTEE ROOM.**

Austin, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

Senate bill No. 350, being "An act to amend section 41 of an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3 of title 78 of the revised civil statutes of Texas as refer to public free schools outside of incorporated cities and towns assuming or having assumed control of their public free schools, passed at the special session of the Eighteenth legislature, and also section 42 of said act as amended by an act to amend sections 36, 42, 48, 50, 56, 61, 62, 63, 66 and 71 of an act passed by the Twentieth legislature"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

**COMMITTEE ROOM.**

Austin, March 21, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

House bill No. 106, being "An act to provide for the issuance of certificates to teachers in the public free schools of Texas, and prescribing their duties as such,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

COMMITTEE ROOM,

Austin, March 21, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Education to whom was referred

House bill No. 428, being "An act to amend an act entitled an act to amend an act to amend section 71, chapter 132 of an act passed at the regular session of the Twentieth Legislature, approved April 2, 1887, passed at the special session of the Twentieth Legislature, approved May 4, 1888, and further amended by the Twenty first Legislature, approved April 3, 1889."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

COMMITTEE ROOM,

Austin, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

Senate bill No. 360, being "An act to accept on the part of the state of Texas the return by the United States to the state of Texas of certain money collected from the tax payers of Texas in pursuance of an act of congress of the United States, approved August 5, 1861, and known as the direct tax act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

COMMITTEE ROOM,

Austin, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

House bill No. 464, being "An act for the relief of Andrea Castanon de Villanueva, otherwise known as Madam Candelaria,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

COMMITTEE ROOM,

Austin, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Education, to whom was referred

House bill No. 112, being "An act to amend article 541a of the revised civil statutes of the State of Texas, and to validate incorporations of towns and villages heretofore made under certain conditions."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

COMMITTEE ROOM,

Austin, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Stock and Stockraising, to whom was referred

House bill No. 461, being "An act for the protection of wool growing interests of the State of Texas, and to repeal chapter 54 of the acts of the Eighteenth legislature, approved April 4, 1883, and chapter 14 of the acts of the Nineteenth legislature, approved February 20, 1885."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STEPHENS, Acting Chairman.

COMMITTEE ROOM,

AUSTIN, March 21, 1891.

Hon. George C. Pendleton, President of the Senate,

Sir—Your committee on Stock and Stock Raising, to whom was referred

House bill No. 129, being "An act to protect stockraisers, farmers and horticulturists, providing for the destruction of wolves and other wild animals, and to make an appropriation therefor, and to repeal chapter 119 relating to same subject, approved April 2, 1887."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STEPHENS, Chairman.

BILLS AND RESOLUTIONS.

By Senator Kimbrough:

A bill to be entitled "An act to amend section 6 of an act entitled 'An act to require railroad companies in this State to provide separate coaches for white and negro passengers, and to prohibit passengers from riding in coaches other than those set apart for their race, and to confer certain powers upon conductors, and to provide penalties for the violation of this act,' passed by the Twenty-second Legislature.

Read first time and referred to committee on State affairs.

By Senator Stephens (by request):

A bill to be entitled "An act to amend article 358, chapter 3, title 11, of the penal code of the State of Texas, as amended by an act of March 26, 1887."

Read first time and referred to Judiciary committee No. 2.

By Senator Stephens (by request):

A bill to be entitled "An act to amend section 1 of an act entitled an act to regulate the sale of spirituous vinous and malt liquors or medicated bitters to fix the rate of occupation taxes upon all persons, firms or associations of persons engaged in the sale of spirituous vinous or malt liquors or medicated bitters, to define the manner and time of collecting such tax, and to affix penalties for failure to pay the same, and to repeal all laws and parts of laws in conflict with the provisions of this act, approved March 11, 1881; approved April 4, 1881."

Read first time and referred to Judiciary committee No. 2.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }  
Twenty-Second Legislature, }  
AUSTIN, TEXAS, March 23, 1891. }  
Hon. Geo. C. Pendleton, President of  
the Senate:

Sir—I am directed to inform the Senate that the House has passed the following bills, to-wit:

Substitute House bill No. 467. An act to amend article 430a of the revised penal code of the state of Texas, as amended by an act approved April 4, 1889.

Ayes 71, noes 1.

House bill No. 522. An act to place certain counties now under the community school system, under the district system, and to repeal all laws in conflict herewith.

Ayes, 73; noes, none.

House bill No. 553. An act to change the times for holding the district court in the Second Judicial District of the state of Texas; to repeal all laws and parts of laws in conflict with this act, and to provide for the return of all writs and process returnable to the district courts of said counties affected by this act that have been heretofore issued by said courts, and that may hereafter be issued before this act shall take effect, and made returnable to the terms of said courts as now fixed by law and make the same as valid and binding

as if no change had been made." Ayes 79, nays 0.

Senate bill No. 339. "An act to amend the charter of the city of Houston with attached amendment." Ayes 74, nays 0.

Senate bill No. 359. "An act to incorporate the city of Denison, Grayson county, Texas, and to fix the boundaries thereof and to provide for its government and the management of its affairs." Yeas 71, Nays 0.

SAM H. DIXON, Chief Clerk,  
House of Representatives.

Senator Frank asked and obtained unanimous consent to postpone pending business, suspend the rule and take up out of its regular order Senate bill No. 358, entitled "An act to validate the corporate existence of certain cities and towns in Texas, and to validate certain acts done and performed by such cities and towns."

Senator Frank offered the following amendment:

Amend by adding to end of section 1 the following: "Provided nothing herein contained shall be construed to in any way apply to or affect towns or cities that have litigated their corporate existence or any rights thereunder to a final settlement and judgment in the supreme court of this state."

Adopted.

Senator Stephens offered the following amendment:

Amend by adding to end of section 1, as amended by Senator Frank, the following: "Provided that nothing contained in this act shall validate the levy of any taxes heretofore made by any such town or city, or persons living in territory unlawfully attached to such city or town."

Adopted.

Senator Glasscock offered the following amendment:

Amend by adding to section 2, the following: "provided that such town subsequently incorporated, shall not be liable for any debt created beyond the amount which such former town corporation created under existing law."

Withdrawn.

The bill was ordered engrossed.

Senator Frank moved to suspend the constitutional rule requiring bills to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—22.

Burney,	Glasscock,	Page,
Clark,	Harrison,	Pope,

Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Finch,	Lubbock,	Townsend,
Frank,	Maetze,	Tyler,
Garwood,	Mott,	Weisiger,
		Whatley.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—23.

Burney,	Harrison,	Simkins,
Clark,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley.
Glasscock,	Pope,	

NAYS—None.

Senator Lubbock asked and obtained unanimous consent to postpone pending business and take up out of its regular order

Senate bill No. 339, entitled "An act to amend the charter of the city of Houston."

Adopted.

And bill read with the following House amendment:

Amend by adding at the end of section 23 the words "except contracts now pending."

Senator Lubbock moved to concur in the House amendment.

Adopted by the following vote:

YEAS—22.

Burney,	Harrison,	Simkins,
Clark,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Page,	Weisiger,
Garwood,	Pope,	Whatley.
Glasscock,		

NAYS—None.

The chair gave notice of signing and signed in the presence of the Senate

House bill No. 565, entitled "An act repealing an act to incorporate the town of San Elizario, of El Paso county, passed by the Twentieth Legislature, approved April 5, 1871;" also

House bill No. 572, entitled "An act to amend section 5 of an act to create the county of Coke out of Tom Green county, and provide for its organization, approved March 13, 1889;" also

House bill No. 546, entitled "An act to amend section 2 of an act to incorporate the town of Castroville; approved January 16, 1850."

Senator Mott asked and obtained unanimous consent to postpone pending business and take up, out of its regular order,

House bill No. 598, entitled "An act to amend the charter of the city of Galveston, by amending sections 3, 5, 14, 17, 20, 23, 28, 29, 41, 70, 78, 79, 95, 127, 128, 155, 156 and 159 thereof, and by adding thereto sections 6a, 18a, 39a, 72, 73b, 78a, 95a, 100a, 128a, 130b, 132c, 164a, 169a, 174 and 175,"

Adopted and bill read second time with the following committee amendments:

Amend the caption by striking out "169a."

Amend section 5, page 3, line 22, after the word "qualified," by inserting "provided no one shall vote for the election of alderman at any such election unless he shall have been a resident of such ward thirty days next preceding such election."

Amend same section, line 23, after the word "provided," by inserting the word "further."

Amend section 6a, page 24, line 9, by inserting after word "system" the following: "So far as may be applicable under the constitution and laws of this state."

POTTER, Chairman.

Amend section 17, page 7, lines 30, 31 and 32, by striking out "no appeals shall be from the recorder's court unless the fine imposed is twenty dollars or more."

Amend section 100a, page 34, lines 3, 24, 25, 26, 27 and 28 by striking out the following:

"And in the event of such method of collection a penalty of ten per cent on the amount of principal and interest unpaid at the time of the rendition of judgment in such suit, may in addition to such principal and interest be recovered therein."

Amend by striking out section 169a.

Amend section 174 by adding thereto the following: No member of the board of commissioners of public works shall have any other employment or office under the city government while he is a member of said board unless herein otherwise provided, and no member of the said board shall be directly or indirectly interested in any work, business or contract the expense, price or consideration of which is paid from the city treasury, or by an assessment levied by an ordinance or resolution of the city council, nor be the surety of any person having a contract, work or business with said city, for the performance of which security may be required. Any member of the said board violating the provisions hereof

shall forfeit his position on said board and shall thereafter be ineligible to any office in or under the city government. The said commissioners shall be deemed and taken as officers of the city and liable to the provisions of article 250 of the penal code of Texas.

The committee amendments were adopted.

Senator Mott offered the following amendment:

Amend the first sentence of section 5, lines 12, 13, 14, 15, 16 and 17, page 3, so that same shall read "At the biennial election provided for in this charter there shall be elected by the qualified voters of the city at large, voting by ballot, a mayor and four aldermen, no two of whom shall reside in the same ward, and who shall hold their office two years from the date of said election, and until their successors shall be elected and qualified." Add "s" to the word person in the 27th line of page 3, and after the word mayor in line 29, insert the words "and aldermen at large."

Adopted.

Senator Mott offered the following amendment:

Amend section 95a, lines 5, 6, 7, 8, 9, 10, 11 and 12, page 34, by striking out the following words: "The assessment and collection of taxes levied for public school purposes after the year 1891 shall be made at the same time with the assessment and collection of the ad valorem taxes levied for general purposes; and until such time they shall be assessed and collected separately from the general taxes in accordance with the existing laws; and"

Adopted.

Senator Glasscock offered the following amendment:

Amend section — by adding thereto the following:

That before any indebtedness shall be incurred by the said city of Galveston for any sanitary purpose the proposition to create such a debt shall be submitted to a vote of the qualified taxpayers of said city, as shown by the last United States census of said city and adopted by a two-thirds vote of said tax paying voters, as is provided for in article 11, section 7, of the State Constitution.

Senator Mott moved to lay the amendment on the table:

Adopted by the following vote:

YEAS—17.

Burney,	Johnson,	Pope,
Clark,	Kimbrough,	Sims,
Crane,	Lubbock,	Stephens,

Finch,	Maetze,	Townsend,
Garwood,	Mott,	Tyler.
Harrison,	Page,	

NAYS—4.

Cranford,	Weisiger,	Whatley.
Glasscock,		

The bill was passed to a third reading.

Senator Mott moved to suspend the constitutional rule requiring a bill to be read on three several days, and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—23.

Burney,	Glasscock,	Pope,
Clark,	Harrison,	Sims,
Clemens,	Johnson,	Stephens,
Crane,	Kimbrough,	Townsend,
Cranford,	Lubbock,	Tyler,
Finch,	Maetze,	Weisiger,
Frank,	Mott,	Whatley,
Garwood,	Page,	

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—18.

Burney,	Frank,	Mott,
Clark,	Garwood,	Pope,
Clemens,	Harrison,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler.

NAYS—4.

Glasscock,	Page,	Weisiger,
		Whatley.

Senator Johnson moved to postpone pending business and take up out of its regular order

Senate bill No. 336, entitled "An act to amend section 1 of an act to authorize counties to fund their indebtedness and to provide means to pay the same, approved May 9, 1889."

Adopted.

Bill read second time with favorable committee report.

Senator Johnson offered the following amendment:

Section 2. The near approach of the close of this session creates an emergency, and an imperative public necessity exists requiring that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted.

The bill was ordered engrossed.

Senator Johnson moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—24.

Burney.	Glasscock,	Pope,
Clark,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley,

NAYS—None.

(Senator Tyler in the chair:

The bill read third time and passed by the following vote:

YEAS—24.

Burney.	Glasscock,	Pope,
Clark,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley,

NAYS—None.

Senator Cranford moved to postpone pending business and take up out of its regular order

Senate bill No 114, entitled an act to amend section 17 of an act to provide for the speedy enforcement of the liens of mechanics, contractors, builders, laborers and material men, and to repeal all existing laws and parts of laws in conflict with the provisions of this act, approved April 5, 1889.

Adopted, and bill read second time, with a favorable committee report.

Senator Cranford offered the following amendment:

Amend by adding the following: Section 2. The near approach of the close of the present session of the Legislature rendering it improbable that this bill will reach a third reading on regular call, and the great importance of the proposed amendment creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted.

The bill was ordered engrossed.

Senator Cranford moved to suspend the constitutional rule requiring a bill to be read on three several days, and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—24

Burney,	Glasscock,	Pope,
Clark,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,

Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley,

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—23.

Burney,	Glasscock,	Simkins,
Clark,	Johnson,	Sims,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Townsend,
Cranford,	Maetze,	Tyler,
Finch,	Mott,	Weisiger,
Frank,	Page,	Whatley,
Garwood,	Pope,	

NAYS—None.

Senator Glasscock moved to postpone pending business and take up out of its regular order

Senate bill No. 75, entitled "An act to amend articles 3157, 3159, 3160 and 3163 of the revised civil statutes, title 61, passed March 17, 1879."

Adopted.

And bill read second time with favorable committee report.

Senator Glasscock offered the following amendment:

Whereas, The present session of the Legislature is nearing an adjournment, and the law as sought to be amended by this bill is of vast importance in determining the rights of parties as to registration of abstracts of judgments creates an emergency and imperative public necessity requiring bills to be read on three several days and said rule is hereby suspended, and this act shall take effect and be in force from and immediately after its passage, and it is so enacted.

Adopted.

The bill was ordered engrossed.

Senator Glasscock moved to suspend constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—21.

Burney,	Garwood,	Pope,
Clark,	Glasscock,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Tyler,
Finch,	Mott,	Weisiger,
Frank,	Page,	Whatley,

NAYS—3.

Harrison,	Lubbock,	Townsend.
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Bill read third time and passed by the following vote:

YEAS—21.

Burney,	Glasscock,	Pope,
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Clemens,	Harrison,	Simkins,
Crane,	Johnson,	Sims,
Cranford,	Kimbrough,	Stephens,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley.

NAYS—3.

Clark, Lubbock, Townsend.

Senator Pope moved to postpone pending business and take up out of its regular order

Senate bill No. 265, entitled "An act fixing the salaries of receivers, attorneys for receivers and other appointees concerning receiverships."

Adopted.

Bill read second time with the following committee amendments:

In salary of receiver strike out "five thousand" and insert "seven thousand."

Amend by striking out "general solicitor," where it occurs in the bill and salary affixed to same.

In salaries of general attorneys and master in chancery strike out "four" and insert "five" thousand dollars.

Amend by adding:

Section 3. That no bank in which the receiver or any of the above officers are interested in any manner shall be designated or used as the depository of the funds of such receivership.

Amend caption by adding as following:

"And regulate the deposit of funds of such receivership.

A division being called for the first committee amendment was adopted.

The second committee amendment was adopted.

The third committee amendment was adopted.

The fourth committee amendment was adopted.

The fifth committee amendment was adopted.

The bill was ordered engrossed.

Senator Pope moved to reconsider the vote ordering the engrossment of the bill, which motion prevailed.

Senator Burney moved to reconsider the vote adopting the first committee amendment, which motion prevailed.

The first committee amendment was lost by the following vote:

YEAS—6.

Crane,	Johnson,	Pope,
Glasscock,	Mott,	Townsend.

NAYS—18

Burney,	Garwood,	Simkins,
Clark,	Harrison,	Sims,
Clemens,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Tyler,

Finch,	Maetze,	Weisiger,
Frank,	Page,	Whatley.

Senator Pope offered the following amendment:

Section 4. Whereas, There is no law upon the statutes regulating the number of receivers and other officers named in this act, and the salaries of same, therefore an imperative public necessity and emergency exists that the constitutional rule requiring bills to be read on three several days be suspended, and this act take effect from and after its passage, and it is so enacted.

Adopted.

The bill was ordered engrossed.

Senator Pope moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to its third reading and final passage.

Adopted by the following vote:

YEAS—24.

Burney,	Glasscock,	Pope,
Clark,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—22.

Burney,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	Mott,	Tyler,
Frank,	Page,	Weisiger,
Garwood,	Pope,	Whatley.
Glasscock,		

NAYS—2.

Clark, Lubbock.

Senator Sinkins handed in the following privileged report:

COMMITTEE ROOM.

Austin, March 23, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 156, being "An act to amend article 2389, chapter 3, title 42, of the revised civil statutes as amended by an act passed at the regular session of the Sixteenth Legislature and approved April 4, 1879, entitled an act to amend chapters 19 and 20 of title 29 and chapters 3 and 4 of title 42 of an act to adopt and establish the revised civil statutes of the state of Texas."



And find the same correctly engrossed.

SIMKINS, Acting Chairman.  
(The President in the chair.)

Senator Townsend moved to postpone pending business and take up out of its regular order

Senate bill No. 276, entitled "An act to regulate corporations engaged in the business of guaranteeing or acting as security for the fidelity of persons in public and private offices, employments or positions, and the agents of such corporations, and prescribing penalties for failure to comply with the provisions thereof."

Adopted.

And bill read second time with a favorable committee report.

Senator Stephens offered the following amendment:

Section 2. The near approach of the close of the present session of this Legislature, and the unjust discrimination now existing against employees of railroad companies bonded by foreign companies engaged in business in this State creates an imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted.

Senator Sims offered the following amendment:

Amend by striking out section 11, page 4, of the bill.

Senator Pope moved the previous question, and the main question was ordered.

The amendment of Senator Sims was lost by the following vote:

YEAS—5.

Clemens,	Frank,	Sims,
Crane,	Johnson,	

NAYS—19.

Burney,	Kimbrough,	Simkins,
Clark,	Lubbock,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	Mott,	Tyler,
Garwood,	Page,	Weisiger,
Glasscock,	Pope,	Whatley.

Senator Sims offered the following amendment:

Amend section 11 by adding at end of section "and no action for damages shall be had or maintained on any reason given when requested under this section."

Senator Pope moved the previous question on the amendment and the

bill, and the main question was ordered.

The amendment of Senator Sims was lost by the following vote:

YEAS—6.

Carter,	Cranford,	Mott,
Clemens,	Frank,	Sims,

NAYS—18.

Burney,	Johnson,	Simkins,
Crane,	Kimbrough,	Stephens,
Finch,	Lubbock,	Townsend,
Garwood,	Maetze,	Tyler,
Glasscock,	Page,	Weisiger,
Harrison,	Pope,	Whatley.

The bill was ordered engrossed.

Senator Townsend moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—22.

Burney,	Pope,	Simkins,
Clark,	Johnson,	Sims,
Cranford,	Kimbrough,	Stephens,
Finch,	Lubbock,	Townsend,
Frank,	Maetze,	Tyler,
Garwood,	Mott,	Weisiger,
Glasscock,	Page,	Whatley.
Harrison,		

NAYS—1.

Clemens.

Bill read third time and passed by the following vote:

YEAS—21.

Burney,	Glasscock,	Pope,
Clark,	Harrison,	Simkins,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley.

NAYS—3.

Clemens, Johnson, Sims.

Senator Weisiger moved to reconsider the vote passing House bill No. 528, and asked to have that motion spread upon the journal and also to request the House to return the bill.

Adopted.

Senator Sims moved to request the House to return Substitute House bill No. 39, as a motion had been entered to reconsider the vote passing the same.

Adopted.

Senator Townsend moved to reconsider the vote passing Senate bill No. 276 and to lay that motion on the table.

Adopted.

HOUSE BILLS REFERRED.

Substitute House bill No. 553, entitled an act to change the times for holding the district court in the second

judicial district of the State of Texas, to repeal all laws and parts of laws in conflict with this act, and to provide for the return of all writs and process returnable to the district courts of said counties affected by this act that have been heretofore issued by said courts, and that hereafter be issued before this act shall take effect and made returnable to the terms of said courts as now fixed by law, and make the same valid and binding as if no change had been made.

Read first time and referred to committee on Judicial Districts.

Substitute House bill No. 467, entitled "An act to amend article 430a, of the revised penal code of the State of Texas, as amended by an act approved April 4, 1889."

Read first time and referred to Judiciary committee No. 2.

House bill No. 522, entitled "An act to place certain counties now under the community school system under the district system, and to repeal all laws in conflict herewith."

Read first time and referred to Judiciary committee No. 2.

The following message was received from his excellency, the Governor:

EXECUTIVE OFFICE,

Austin, Texas, March 21, 1891.

To the Senate of the State of Texas:

I ask your advice and consent to the appointment of W. J. Wingate of Runnels county, Texas, to the office of judge of the Thirty fifth judicial district of Texas.

Respectfully,

J. S. HOGG,

Governor of Texas.

Senator Page moved to adjourn to 10 a. m. tomorrow.

Senator Stephens moved to adjourn to 3 p. m. this day.

The motion of Senator Page prevailed, and the Senate adjourned to tomorrow at 10 a. m.

SIXTIETH DAY.

SENATE CHAMBER,

Austin, March 24, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—26.

Bursey,	Glasscock,	Seale,
Carter,	Harrison,	Simkins,
Clark,	Johnson,	Sims,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Townsend,
Cranford,	Mae'ze,	Tyler,
Finch,	McKinney,	Weistger,
Frank,	Page,	Whatley,
Garwood,	Potter,	

ABSENT—3.

Kearby,	Mott,	Pope,
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Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal, on motion of Senator Kimbrough the further reading of the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Stephens:

Memorial from citizens of Young county, praying the Legislature to permit towns of less than 1,000 inhabitants to incorporate for school purposes only, and to issue bonds to build school houses, and to levy taxes to pay for the same.

Read first time and referred to committee on Incorporated Cities and Towns.

The following reports were handed in from their respective committees:

COMMITTEE ROOM,

Austin, March 24, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Internal Improvements to whom was referred Senate bill No. 346, being "An act to encourage the construction and maintenance of deep water harbors, navigable channels, docks and wharves on the Gulf coast within the State of Texas."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike out "two" in line 9, page 1 and insert the word "one." Strike out the word "one-half" in line 14, page and insert "one-fourth." Amend section 5 by adding after the word "State" in line 1, page 3 the following: "and such tolls and charges shall be subject to the regulation and control of the railroad commission." Amend section 4 by adding the following: "if any individual, association of individuals, company or corporation purchasing any land, island or shallow water bays, under this act shall fail to secure twenty feet of water within